

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOSE FIGUEROA,

Plaintiff,

-against-

NASSAU COUNTY SHERIFFS DEPARTMENT
and CORRECTIONAL CENTER,

Defendants.
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FEUERSTEIN, District Judge:

ORDER

12-CV-2866 (S.J.F.)
FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ NOV 16 2012 ★

LONG ISLAND OFFICE

Pursuant to the Court's February 13, 2012 Order of Consolidation, the Court has reviewed the instant complaint and finds that it relates to the subject matter of the Consolidated Action, Anderson, et al. v. Sposato, et al., 11-CV-5663 (SJF)(WDW). Accordingly, this action shall proceed in accordance with the Order of Consolidation, a copy of which is annexed hereto.

In addition, plaintiff enclosed rodent droppings with his complaint and, on June 22, 2012, sent a small container with live roaches to the Court. Plaintiff is ORDERED not to submit any additional samples or specimen of any kind to the Court. The Court does not have the ability to preserve and/or store evidence; nor is the Court obligated to test or examine it in any way. Moreover, the parties are not entitled to submit any evidence to the Court at this stage of the litigation.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed.2d 21 (1962).

The Clerk of the Court is directed to mail a copy of this Order and the Order of Consolidation to the pro se plaintiff at his last known address.

Dated: Nov. 16, 2012
Central Islip, New York

~~S~~ORDERED.

s/ Sandra J. Feuerstein

Sandra J. Feuerstein, U.S.D.J.
United States District Judge